

United States District Court
Southern District of Texas

ENTERED

April 23, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

NEW HIGH-TECH ENTERPRISE COMPANY INC.

Plaintiff,

V.

**INTERWORKS UNLIMITED INC.,
ERIC H. LU AKA ERIC LU, AND
ZHU HUAN LU AKA ZHU H. LU**

Defendants.

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CASE NO. 4:18-cv-01962

**ORDER GRANTING EMERGENCY MOTION FOR RECONSIDERATION OF
PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' THIRD
AMENDED ANSWER [DOC. #77] AND MOTION TO STRIKE
DEFENDANTS' UNTIMELY JURY DEMAND**

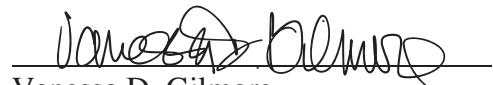
On this day, came on consideration before this Court, Plaintiff's Motion for Reconsideration of Plaintiff's Motion to Strike [Doc. # 77] under Federal Rule of Civil Procedure 54(b) and Motion to Strike Defendants' Untimely Jury Demand ("Motion") under Federal Rules of Civil Procedure 15(a)(2), 16(b)(4), and 38 of the Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Southern District of Texas Rules 11.4 and 38, and Judge Gilmore's Procedural Rule 5. The Court, after considering the motion, response, argument of counsel, and other evidence submitted to the Court, finds that Plaintiff's Motions should be

IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration of Plaintiff's Motion to Strike is hereby **GRANTED**. As such, the Court hereby vacates its Order denying the Motion to Strike [Doc. #88].

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike the Third Amended Answer with Demand for Jury and Third Amended Counterclaims [Doc. #77] is hereby ~~GRANTED and Doc. #75 is hereby stricken from the Docket.~~ DENIED, HOWEVER,

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike the Demand for Jury is hereby **GRANTED** and the case shall proceed with a bench trial as scheduled.

SIGNED on this 22nd day of April, 2021.



Vanessa D. Gilmore
United States District Judge